

**Docket No. SACHPO148US
(FORMERLY SOU747/4-13CON US)**

Serial No. 10/795,772

REMARKS

Upon entry of the present paper, claims 1-7 and 9-20 are pending in the application. Claims 1, 3, 9, 10 and 11 are amended herein, claim 8 is cancelled and new claims 12-17 are added. Support for the amendments may be found as follows. The amendments of claims 1 and 3 are supported, for example, at paragraphs [0028] and [0030], respectively. The amendments of claims 9 and 10 are merely clarifying and are supported in the claims as originally filed. The amendment of claim 11 is supported, for example, in original claim 7. Support for the new claims may be found, for example, in the specification as originally filed, as follows. Support for new claims 13 and 14 is found, for example, in [0049] and Process V, and in Example 1, which describes the synthesis of the compound in claim 14. Support for new claims 15-17 may be found, for example, in [0046] and Process II, and in Example 2, which describes the synthesis of the compound in claim 16. Applicants respectfully submit that all of the amended and newly submitted claims are fully supported in the original application as filed.

Information Disclosure Statement

Applicants note that the compound of claim 14, described in Example 1 in the specification, has been assigned a Chemical Abstracts (CAS) number, [CAS #415938-92-0]. The structure only of this compound was submitted to Chemical Abstracts Service with a request for assignment of a CAS number on May 15, 2002. Applicants acknowledge that assignment of a CAS number may be considered to constitute a public disclosure of the information submitted to Chemical Abstracts Service. However, since no information as to any method of making this compound and no information as to any utility for this compound was included in the CAS submission, Applicants submit that the claimed compound was not disclosed in an enabling manner and therefore does not constitute a statutory bar under 35 U.S.C. 102.

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Should the Examiner consider that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Applicants do not consider that any additional claim fees are due for the submission of this preliminary amendment. In the event any fees are due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988, docket No. SACHPO148US.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, L.L.P.

Date: November 1, 2005

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